THE HON'BLE MR JUSTICE C.Y.SOMAYAJULU

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WRIT PETITION NO : 5680 of 1996

Dated: 17-11-2005

Between:

Sagi Venkata Suryanarayana Raju.

..Petitioner.

And

The State of Andhra Pradesh, rep. by the Secretary, Revenue Department (Endt.II) Dept., Secretariat, Hyderabad and others.

..Respondents.

THE HON'BLE MR JUSTICE C.Y.SOMAYAJULU

WRIT PETITION NO : 5680 of 1996

ORDER:

This petition is filed questioning the acquisition of Ac:2-53 cents of land in

R.S.No.86/58 and 86/6 of Brahmapuri village H/o Masakapalli of Pamarru Mandal, East Godavari District, for providing house sites to the weaker sections of the society.

Since the enquiry under Section 5-A of the Land Acquisition Act ('the Act') was dispensed with in a routine fashion and since the Apex Court in **UNION OF INDIA v. KRISHAN LAL ARNEJA** and in **DELHI ADMINISTRATION v. GURDIP SINGH UBAN** held that the enquiry under Section 5-A of the Act is a valuable right and that it cannot be dispensed with unless there are extraordinary circumstances, which do not brook any further delay, and since question of providing house sites to the weaker sections is not an urgent matter, dispensation of enquiry under Section 5-A of the Act is improper. Hence, this petition is disposed of with a direction to the respondents to conduct enquiry under Section 5-A of the Act and proceed further as per the provisions of the Act. Parties are directed to bear their own costs.

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17-11-2005

sj